

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 1-3, 5-7, 12-14 and 16-18 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,136,376 to Yagasaki et al. (hereinafter “Yagasaki”). Claims 1 and 12 have been amended to incorporate limitations from respective dependent claims 8 and 19. The added limitations have been deleted from the dependent claims. For the following reasons, Applicants respectfully request the Examiner’s reconsideration of the claims.

Regarding amended claims 1 and 12, Yagasaki does not teach *a processing time measuring unit/step* for measuring the compression encoding time via the video compression unit/step and the transmission time via the video transmission uni/step, as required. In the present invention, as claimed, by measuring a compression encoding time and a transmission time, the time required for video compression can be adjusted to be made identical to the time required for transmission, and thus the claimed invention can operate the video compression and video transmission in parallel. Yagasaki does not teach measuring the processing time, as presently claimed. In contrast, Yagasaki merely teaches providing feedback to the encoding circuit to generate the data having a particular transmission rate, which corresponds to the required time for transmitting. Moreover, Yagasaki does not teach controlling or adjusting the required time for encoding.

Claims 4 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yagasaki in view of U.S. Patent No. 5,638,129 to Lee (hereinafter “Lee”), and claims 9-10 and

20-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yagasaki in view of U.S. Patent No. 5,537,409 to Moriyama (hereinafter "Moriyama"). For the reasons explained above with regard to claims 1 and 12, from which claims 4, 9, 10, 15, 20 and 21 respectively depend, Yagasaki does not teach or suggest every limitation of the claims. Further, neither Lee nor Moriyama teach or suggest the limitations of which Yagasaki is deficient. Therefore, since every limitation of the claim is not taught or suggested by the references as required, claims 4, 9, 10, 15, 20 and 21 are patentable over the prior art of record.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33826.

Respectfully submitted,

PEARNE & GORDON LLP

By:   
Aaron A. Fishman, Reg. No. 44682

1801 East 9th Street  
Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

Date: June 27, 2005